

REMARKS

Applicants submit herewith replacement sheet in which Figures 5 and 6 are labeled “PRIOR ART”, as requested by the Examiner.

Claims 1-4 are all the claims pending in the application. Claims 1 and 3 have been rejected under § 103 as being unpatentable over the admitted prior art illustrated in Figures 5 and 6 (AAPA) in view of Klemp (U.S. Patent No. 4,679,884). For the following reasons Applicants respectfully traverse this rejection.

As discussed in the “Background” portion of the application, the AAPA illustrated in Figures 5 and 6 is directed to a conventional fuse having a flap 2b for allowing insertion of the fuse element into the insulating housing 2. As shown in Figure 6, when the flap is in the closed position, it abuts against the lower end edge 7 of the outer housing body 2a. The flap is intended to be retained in the closed position by the locking projections 4b projecting from the inner edges 4a of the flap terminal portions 4, as shown in Figure 5 of the application.

The inventors have discovered that when an external force is applied to the flap 2b in a direction to open it, the flap 2b slides over the locking projection 4b, such that the fusible portion 5 is unprotected. It is a result of this discovery, that the present inventors arrived at the present invention in which the distal end edge of the flap is physically joined to the side edge of the slit opening, as independent claim 1 requires.

In the Office Action, the Examiner acknowledges that the AAPA does not teach or suggest this feature of the invention. To compensate for this deficiency, the Examiner cites Klemp. Specifically, the Examiner notes that Klemp discloses a fused electrical plug which

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includes a hinged flap 21 having locking pawl 26, as shown in Figure 3 of the reference. Based on this teaching, the Examiner contends that it would have been obvious to one of ordinary skill in the art to use the locking pawl design of Klemp with the flap of AAPA, “in order to reduce the manufacturing steps.”

Applicants respectfully disagree with the Examiner’s obviousness determination for a number of reasons. First, Applicants respectfully submit the Examiner’s obviousness determination is based on hindsight reconsideration, and not the objective teachings of the prior art. More specifically, the alleged motivation for modifying the AAPA in view of Klemp is that it will result in a reduction in the number of manufacturing steps. However, Applicants respectfully submit that Klemp fails to provide any teaching or suggestion that the presence of the locking pawl 26 on the hinge flap 21 reduces the number of manufacturing steps in any way. The purpose of the locking pawl 26 of Klemp is to allow for a fuse to be replaced easily. Applicants respectfully submit that this purpose would not have motivated a person of ordinary skill in the art to modify the AAPA design in the manner proposed by the Examiner.

Further, Applicants respectfully submit that there is no teaching or suggestion in the AAPA of any problem associated with the flap becoming displaced upon application of an external force. As noted above, it is this discovery by the inventors that led to the claimed invention. A person of ordinary skill in the art would not have been led to this solution since the discovery would not have not been known to them.

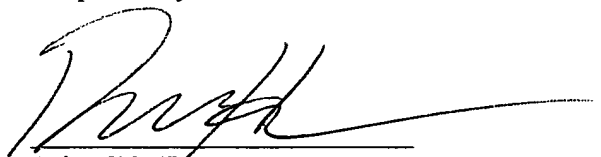
In view of the foregoing, it is respectfully submitted that all claims pending in the application are allowable. It is therefore respectfully requested that the application be passed to

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issued at the earliest possible convenience. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Brian W. Hannon', written over a horizontal line.

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CUSTOMER NUMBER

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AMENDMENTS TO THE DRAWINGS

Figures 5 and 6 labeled "PRIOR ART".

Attachment: 1 Replacement Sheet of Drawings